

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

James Rutherford

Plaintiff(s)

v.

Wienerschnitzel #561, Alessandro Group, LLC and Does 1-10

Defendant(s)

CASE NUMBER:

5-18-CV-01161-CBM

**ADA DISABILITY ACCESS LITIGATION:
[PROPOSED] ORDER GRANTING
APPLICATION FOR STAY
AND EARLY MEDIATION**

The Court has considered the recently filed Application for Stay and Early Mediation, and hereby **ORDERS**:

1. This action is STAYED as to Alessandro Group, LLC for a period of ninety (90) days from the date of the filing of this Order, unless otherwise ordered by the Court.
2. This case is referred to:
 - ☐ **ADR PROCEDURE NO. 1:** Magistrate Judge assigned to the case for such settlement proceedings as the judge may conduct or direct.
 - ☐ **ADR PROCEDURE NO. 2:** This case is referred to the ADR Program. Within twenty-one (21) days, plaintiff shall obtain the consent of a Mediator listed on the Court's Mediation Panel who will conduct the mediation, and file form ADR-2, Stipulation Regarding Selection of Mediator. If the parties have not selected and obtained the consent of a Panel Mediator within twenty-one (21) days, the ADR Program (213-894-2993) will assign one. Forms and a list of the Panel Mediators are available on the Court's website, www.cacd.uscourts.gov. Absent extraordinary circumstances, parties cannot request a continuance within three (3) business days of a scheduled mediation.

The ADR proceeding is to be completed no later than: _____.
3. Within fourteen (14) days of the date of this Order, Plaintiff shall file with the Court and serve on Defendant(s) a statement ("Plaintiff's Case Statement") that includes the following:
 - a. An itemized list of specific conditions on the subject premises that are the basis of the claimed violations of the ADA; and
 - b. An itemized list of damages and, for each item, the amount sought.
4. If Defendant claims to have remedied any or all of the violation(s) identified by Plaintiff, or asserts that no violation exists, that Defendant shall file with the Court and serve on Plaintiff evidence showing the correction or absence of violation(s) at least ten (10) days before the date set for the early mediation.
5. The parties shall file with the Court a Joint Status Report no later than seven (7) days after the ADR proceeding is completed advising the Court of the status of the alleged ADA violations and their mediation efforts.

Date: _____

United States District Judge

cc: ADR Program Director